

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Ronald G. FINK et al. Docket No.: 6556.4814
Serial No.: 10/064,154 Group Art Unit: 1753
Filed: June 14, 2002 Examiner: S.H. VERSTEEG
For: ENVIRONMENTAL AIR STERILIZATION SYSTEM

COMMISSIONER FOR PATENTS
P.O. BOX 1450
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DECLARATION UNDER 37 C.F.R. §1.131

Dear Sir:

This declaration is to establish completion of the invention of the apparatus and methods claimed in the above-identified application in the United States on a date prior to July 30, 2001, which is the effective date of U.S. Patent Application Publication No. 2003/0019738A1 to Reisfeld et al., which was cited by the Examiner in the Office Action dated November 17, 2004. The person making this declaration is one of the inventors, _____.

FACTS AND DOCUMENTARY EVIDENCE

Attached hereto as Exhibit A is a copy of a series of drawings of a high volume, wall mountable air sanitation apparatus which shows a casing with an interior, a first side and a second side, means for moving air located at the first side of the casing, namely a 550 cfm fan; an elongated high energy UV light source, namely a UV lamp; an elongated target comprising titanium disposed about the UV lamp bulb shown in the form of a mesh; the air moving from the first side of the casing across the target, whereby UV striking the air and the target in the presence of water will generate hydro-peroxides, super-oxide ions and/or hydroxyl radicals.

The Front View of the apparatus shows a secondary target comprising titanium spaced a distance from the mesh target such that air can flow in the volume between the mesh target and the secondary target, and UV light that passes through the mesh target can strike the secondary target to generate additional hydro-peroxides, super-oxide ions and/or hydroxyl radicals.

BEST AVAILABLE COPY

The Top View of Exhibit A corresponds to Fig. 8A of the present application, and its corresponding End View corresponds to Fig. 8B.

The Front View of Exhibit A corresponds to Fig. 9 of the present application.

The Bottom View of Exhibit A corresponds to Fig. 10 of the present application.

The sheet of drawings presented as Exhibit A contains a date of printing (which has been redacted) that is a date earlier than the effective filing date of the reference, that is, earlier than July 30, 2001. The apparatus was installed at a test facility, and testing of the apparatus and the ozonation/UV method commenced prior to July 30, 2001.

These claimed novel apparatus and methods were conceived and reduced to practice in the United States of America before July 30, 2001, which is the effective filing date of Reisfeld et al., U.S. Patent Application Publication No. 2003/0019738A1.

TIME OF PRESENTATION OF THE DECLARATION

This declaration is submitted prior to final rejection.

DECLARATION

As the person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name

DATE

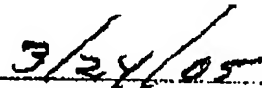


EXHIBIT A

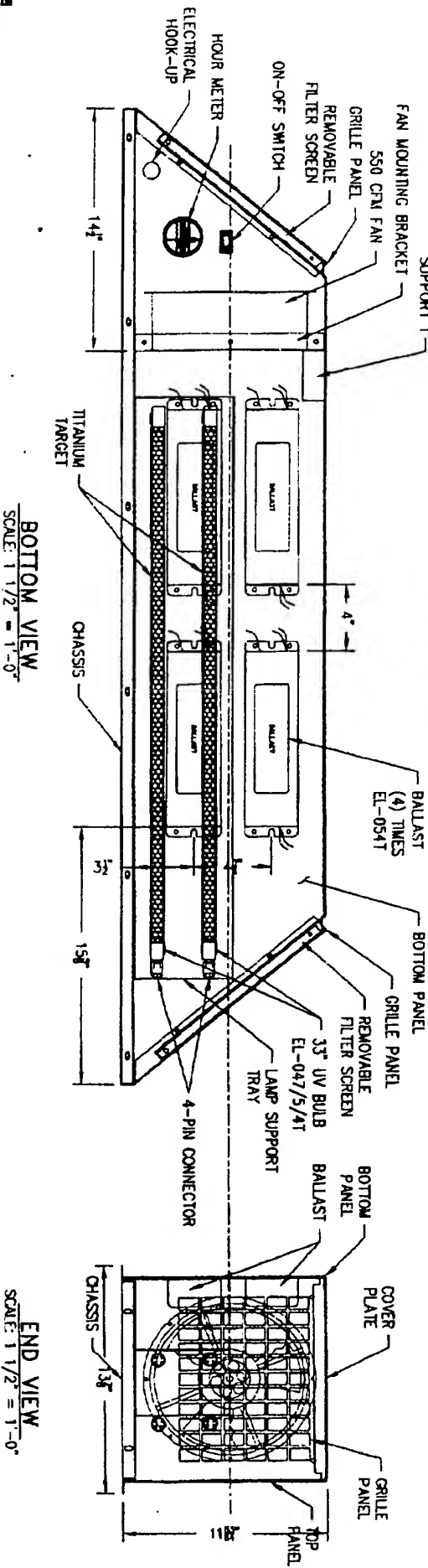
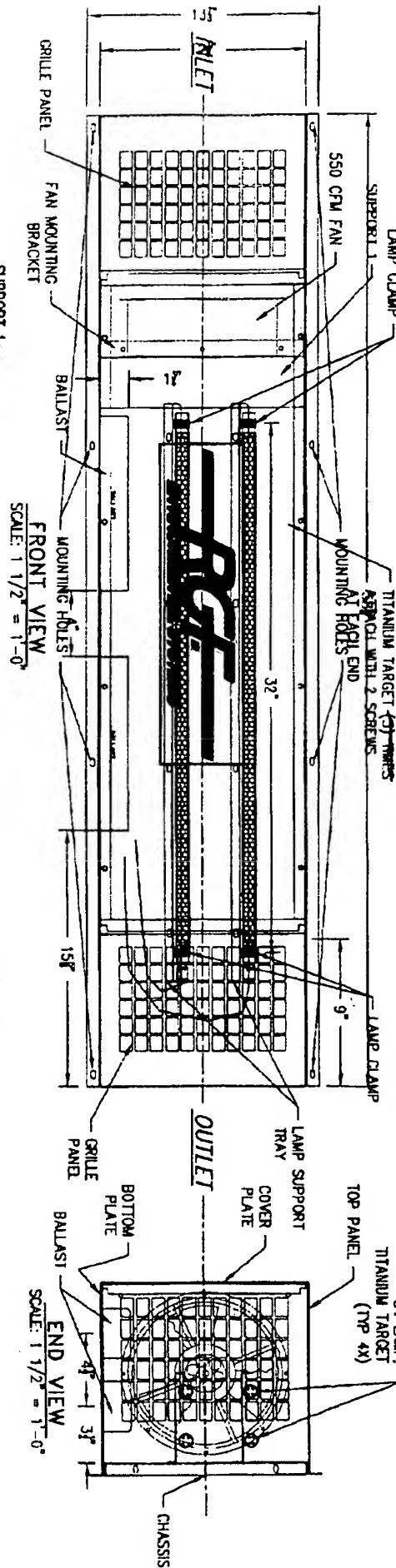
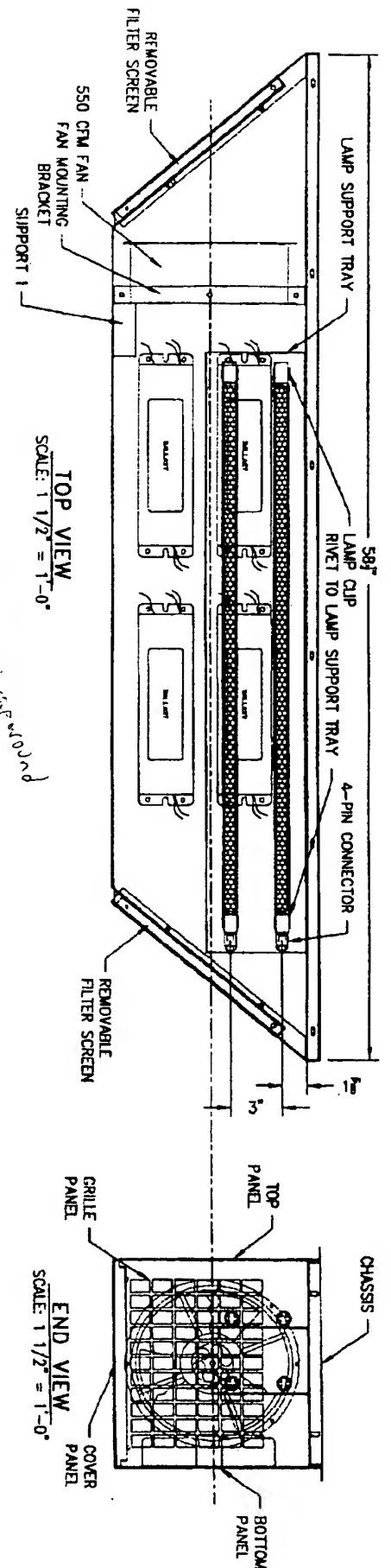




EXHIBIT B

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volume of composted waste is from 20–60% of original volume.

compound. (1) A substance composed of atoms or ions of two or more elements in chemical combination. The constituents are united by bonds or valence forces. A compound is a homogeneous entity where the elements have definite proportions by weight and are represented by a chemical formula. A compound has characteristic properties quite different from those of its constituent elements. It is decomposed by energy in the form of a chemical reaction, of heat, or of an electric current. Example: Water is a *liquid* formed by chemical combination of two *gases*; it can be separated into hydrogen and oxygen by an electric current (electrolysis); in certain reactions it is split into its constituent ions (H, OH) (hydrolysis); it is not chemically changed by heat or cold.

See also mixture, homogeneous, chemical reaction.

(2) Loosely, a product formula (often proprietary) of various types, e.g., pharmaceuticals (a vegetable compound), rubber (a fast-curing compound), etc. (3) Having two sets of lenses (compound microscope).

compound 1080. Use may be restricted.
See sodium fluoroacetate.

compreg. A hardwood impregnated with a phenolformaldehyde resin under heat and pressure.

compressed gas. Any material or mixture that, when enclosed in a container, has an absolute pressure exceeding 40 psi at 21.1°C or, regardless of the pressure at 21.1°C, has an absolute pressure greater than 140 psi at 54.4°C, or any flammable material having a vapor pressure greater than 40 psi abs at 37.7°C (vapor pressure determined by Reid method (ASTM)). Compressed gases include liquefied petroleum gases and oxygen, nitrogen, anhydrous ammonia, acetylene, nitrous oxide, and fluorocarbon gases. Some of these are shipped in tonnage volume. For details on properties, containers, and shipping regulations, see the specific gas entries.

For additional information, see Compressed Gas Association, 1235 Jefferson Davis Hwy., Arlington, VA 22202.

compression molding. Formation of a rubber or plastic article to a desired shape, by either placing the raw mixture in a specially designed cavity or bringing it into contact with a contoured metal surface. After the material is in place, heat and pressure are supplied by a hydraulic press, the time and temperature varying with the nature of the material. For rubber products, vul-

canization occurs simultaneously. Most plastic molding is now done by the injection method, which is more economically efficient.

See also injection molding.

Compton effect. One of the principal processes by which high-energy electromagnetic radiation (γ -rays) interact with or is absorbed by matter. In the Compton process the γ -ray frees an electron in matter as if the electron were unbound, dividing the momentum of the γ -ray between the ejected electron and a new γ -ray of lower energy going off in a new direction.

computational chemistry. Use of computers in organic synthesis and in chemical engineering as a more efficient means of research than conventional laboratory experimentation. The capacity of sophisticated computers for fast mathematical calculations has made them an invaluable aid in exploring and evaluating the more likely pathways for a given organic synthesis, for which there may be innumerable possible sequences. The term "heuristic" is applied to such procedures. Computers can also handle the vast complexity of quantum-mechanical calculations and aid in the elucidation of the complicated molecular structures that occur in pharmaceutical compounds and recombinant-DNA research. The Quantum Chemistry Program Exchange at Indiana University offers many programs in this field, from subroutines to major computational systems. Chemical engineers utilize computers to develop more thermodynamically efficient procedures and to consolidate overall plant operations, especially in the areas of energy consumption, reaction rates, and hazardous waste problems.

See also retrosynthesis.

Note: Notwithstanding the immense capability of computers to point the way to solutions of chemical and engineering problems, experimentation will remain the ultimate proof of theory. It is interesting to speculate how much time and effort such empirical scientists as Goodyear and Edison could have saved had computers been available to them.

Conant, James Bryant. (1893–1978). An American chemist and educator, born in Boston, who received his doctorate in chemistry from Harvard in 1916 and was President of Harvard for 20 years (1933–53). His major scientific activities included pioneering research on chlorophyll and important contributions to the Manhattan Project. Perhaps his greatest achievements lay in the educational field, in which he exerted a strong liberalizing influence at both the collegiate and secondary-school levels. He also was ambassador to postwar Germany and educational advisor to Berlin. He wrote many books

EXHIBIT C

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one of the five classical orders, popular esp. since the beginning of the Renaissance but invented by the ancient Romans, in which the Roman Ionic and Corinthian orders are combined, so that four diagonally set Ionic volutes, variously ornamented, rest upon a bell of Corinthian acanthus leaves. Cf. *Corinthian* (def. 2). **Doric** (def. 1), **Tuscan** (def. 2). See *illus.* under *order*. 4. *Rocketry*. a. (of a rocket or missile) having more than one stage. b. (of a solid propellant) composed of a mixture of fuel and oxidizer. 5. *Naut.* noting a vessel having frames of one material and shells and decking of another, esp. one having iron or steel frames with shells and decks planked. 6. *Math.* of or pertaining to a composite function or a composite number. —*n.* 7. something composite; a compound. 8. *Bot.* a composite plant. 9. a picture, photograph, or the like, that combines several separate pictures. —*u.t.* 10. to make a composite of. [1350-1400; ME (< MF) < L *compositus* (ptp. of *componere* to put together), equiv. to *com-* + *positus* placed; see *posit*] —*com-pos-ite-ly*, *adv.* —*com-pos-ite-ness*, *n.*

compos/ite fam/ily, the large and varied plant family Compositae (or Asteraceae), typified by herbaceous plants having alternate, opposite, or whorled leaves and a whorl of bracts surrounding the flower heads, which are usually composed of a disk containing tiny petalless flowers and a ray of petals extending from the flowers at the rim of the disk, some flower heads being composed only of a disk or a ray and some plants having clusters of flower heads, including the aster, daisy, dandelion, goldenrod, marigold, ragweed, sunflower, thistle, and zinnia.

compos/ite func/tion, *Math.* a function obtained from two given functions, where the range of one function is contained in the domain of the second function, by assigning to an element in the domain of the first function that element in the range of the second function whose inverse image is the image of the element. Also called **compound function**. [1960-65]

compos/ite num/bar, *Math.* a number that is a multiple of at least two numbers other than itself and 1. [1720-30]

compos/ite pho/tograph, a photograph characterized by overlapping or juxtaposed images resulting from a multiple exposure or the combining of negatives (*composito print*).

compos/ite print, 1. *Motion Pictures*. a positive print having the picture and soundtrack placed side by side on the same strand of film after all postproduction work on picture and sound has been completed. 2. *Photog.* See under *composite photograph*.

compos/ite school, (in Canada) a secondary school offering academic, commercial, and industrial subjects. Also called **comprehensive school**. [1940-45]

compos/ite shot, *Motion Pictures, Television*. See *split screen*.

com-po-si-tion (kom'pə zish'ən), *n.* 1. the act of combining parts or elements to form a whole. 2. the resulting state or product. 3. manner of being composed; structure: *This painting has an orderly composition.* 4. makeup; constitution: *His moral composition was impeccable.* 5. an aggregate material formed from two or more substances: *a composition of silver and tin.* 6. a short essay written as a school exercise. 7. the act or process of producing a literary work. 8. an academic course for teaching the techniques of clear, expository writing. 9. the art of putting words and sentences together in accordance with the rules of grammar and rhetoric. 10. a piece of music. 11. the art of composing music. 12. *Fine Arts*. the organization or grouping of the different parts of a work of art so as to achieve a unified whole. 13. *Gram.* the formation of compounds or derivatives: *the composition of "aircraft" from "air" and "craft."* 14. a settlement by mutual agreement. 15. an agreement or compromise, esp. one by which a creditor or group of creditors accepts partial payment from a debtor. 16. a sum of money so paid. 17. *Print.* a. the setting up of type for printing. b. Also called **pagination**, the makeup of pages for printing. 18. *Math.* the process of making a composite function of two given functions. [1350-1400; ME *compositiō* < AF < L *compositiō* (s. of *compositus*), equiv. to *compositus* (see *composit*) + *-iō* (-iōn)] —*com-po-si-tion-al*, *adj.* —*com-po-si-tion-al-ly*, *adv.* —*com-po-si-tive* (kam-pəz'itiv), *adj.* —*com-pos-itive-ly*, *adv.*

composi/tion of forc/es, *Mech.* the union or combination of two or more forces into a single force. Cf. *parallelogram law*, *parallelogram of forces*. [1800-10]

composi/tion se/ries, *Math.* a normal series of subgroups in which no additional subgroups can be inserted. Also called **principal series**.

com-pos-i-tor (kam'poz'itər), *n.* a person who sets the type or text for printing. [1325-75 for earlier sense "referee, arbiter"; 1560-70 for current sense; ME < L: one who composes, equiv. to *composit-*, var. s. of *componere* (see *componere*, *composit*) + *-tor* (-tor)] —*com-po-si-to-ri-al* (kam'poz'it-ōr'ē-əl, -tōr'ē-əl), *adj.*

com-pos men-tis (kəm'pəs mən'tis; Eng. kom'pəsmen'tis), *Latin*. sane; mentally sound. [lit., being in full possession of one's mind]

com-pos-si-ble (kom'pəs'ə-bəl, kəm-,), *adj.* 1. compatible; potentially consistent, as with another statement, theory, etc. 2. able to exist or happen together. [1630-40; < ML *compossibilis*. See *com-*, *possible*] —*com-pos-si-bil-i-ty*, *n.*

com-post (kom'pōst), *n.* 1. a mixture of various decaying organic substances, as dead leaves or manure, used for fertilizing soil. 2. a composition; compound.

—*u.t.* 3. to use in compost; make compost of: *to compost manure and kitchen scraps.* 4. to apply compost to (soil). —*u.i.* 5. to make compost: *Shredded leaves will compost easily.* [1350-1400; ME < AF, MF < L *compositum*, *n.* use of neut. of *compositus* COMPOSITE; cf. *composit*] —*com-post-a-ble*, *adj.* —*com-post-er*, *n.*

com-po-sure (kam'pō-zhər), *n.* serene, self-controlled state of mind; calmness; tranquillity: *Despite the hysteria and panic around him, he retained his composure.* [1590-1600; COMPOSE + *-ure*]

—*Syn.* equability, serenity, quiet, coolness, equanimity, self-possession. —*Ant.* agitation.

com-po-ta-tion (kom'pə tā'shən), *n.* an act or instance of drinking or tipping together. [1585-95; < L *compositiō* (s. of *compositiō*, trans. of Gk *symposiōn* SYMPOSIUM). See *com-*, *POTATION*]

com-po-ta-tor (kom'pə tā'tər), *n.* a person who drinks or tips with another. [1725-35; < LL; see *COMPUTATION*, *-TOR*] —**com-po-ta-to-ry** (kam'pō-tā-tōr'ē, -tōr'ē), *adj.*

com-pote (kom'pōt; Fr. kōn pōt'), *n.*, *pl.* -potes (-pōt; Fr. -pōt'). 1. fruit stewed or cooked in a syrup, usually served as a dessert. 2. Also, **compotier**, a dish, usually of glass, china, or silver, having a base, stem, and often a lid, and used for serving fruit, nuts, candy, etc. [1685-95; < F; OF *composte* < L *composita*, fem. of *compositus* COMPOSITE; cf. *composit*]

com-po-tier (kom'pō-tēr; Fr. kōn pō tyā'), *n.*, *pl.* -tiers (-tēr; Fr. -tyā'). *compote* (def. 2). [1745-55; < F; see *COMPUTE*, *-IER*]

com-pound (adj. kom'pound, kom'pound'; *n.* kom'pound; *v.* kom'pound', kom'pound'), *adj.* 1. composed of two or more parts, elements, or ingredients: *Soap is a compound substance.* 2. having or involving two or more actions or functions: *The mouth is a compound organ.* 3. *Gram.* of or pertaining to a compound sentence or compound-complex sentence. 4. (of a word) consisting of two or more parts that are also bases, as *house-top*, *many-sided*, *play-act*, or *upon*. b. consisting of any two or more parts that have identifiable meaning, as a base and a noninflectional affix (*return*, *follower*), a base and a combining form (*biochemistry*), two combining forms (*ethnography*), or a combining form and a noninflectional affix (*aviary*, *dentoid*). 5. (of a verb tense) consisting of an auxiliary verb and a main verb, as *are swimming*, *have spoken*, or *will write* (opposed to *simple*). 6. *Bot.* composed of several similar parts that combine to form a whole: *a compound fruit.* 7. *Zool.* composed of a number of distinct individuals that are connected to form a united whole or colony, as coral. 8. *Mus.* of or pertaining to compound time. 9. *Mach.* noting an engine or turbine expanding the same steam or the like in two successive chambers to do work at two ranges of pressure. —*n.* 10. something formed by compounding or combining parts, elements, etc. 11. *Chem.* a pure substance composed of two or more elements whose composition is constant. 12. a compound word, esp. one composed of two or more words that are otherwise unaltered, as *moonflower* or *rainstorm*. —*u.t.* 13. to put together into a whole; combine: *to compound drugs to form a new medicine.* 14. to make or form by combining parts, elements, etc.; construct: *to compound a new plan from parts of several former plans.* 15. to make up or constitute: *all the organs and members that compound a human body.* 16. to settle or adjust by agreement, esp. for a reduced amount, as a debt. 17. *Law.* to agree, for a consideration, not to prosecute or punish a wrongdoer for: *to compound a crime or felony.* 18. to pay (interest) on the accrued interest as well as the principal: *My bank compounds interest quarterly.* 19. to increase or add to: *The misery of his loneliness was now compounded by his poverty.* 20. *Elect.* to connect a portion of the field turns of a direct-current dynamo in series with the armature circuit. —*u.i.* 21. to make a bargain; come to terms; compromise. 22. to settle a debt, claim, etc., by compromise. 23. to form a compound. [1350-1400; (v.) ME *compounen* < MF *compounen* (s. of *compoudre*) < L *componere*, equiv. to *com-* + *ponere* to put; (adj.) ME *compounded*, ptp. of *compounen*, as above] —**com-pound-a-ble**, *adj.* —**com-pound-ed-ness**, *n.* —**com-pound'er**, *n.*

com-pound² (kom'pound), *n.* 1. (in the Far East) an enclosure containing residences, business offices, or other establishments of Europeans. 2. (in Africa) a similar enclosure for native laborers. 3. any enclosure, esp. for prisoners of war. 4. any separate cluster of homes, often owned by members of the same family. [1670-80; alter., by assoc. with *COMPOUND*, of Malay *kampung* village, collection, gathering; cf. *KAMPONG*]

com-pound-com-plex sen/tence (kom'pound-kom'pleks), a sentence having two or more coordinate independent clauses and one or more dependent clauses, as *The lightning flashed (independent clause) and the rain fell (independent clause) as he entered the house (dependent clause)*. [1920-25]

com-pound eye, an arthropod eye subdivided into many individual, light-receptive elements, each including a lens, a transmitting apparatus, and retinal cells. [1830-40]

com-pound flow'er, the flower head of a composite plant. [1770-80]

com-pound frac/tion, *Math.* See **complex fraction**. [1800-10]

com-pound frac/ture, a fracture in which the broken bone is exposed through a wound in the skin. [1535-45]

com-pound func/tion, *Math.* See **composite function**.

com-pound in/terest, interest paid on both the principal and on accrued interest. [1650-60]

com-pound in/terval, *Mus.* an interval that is greater than an octave, as a ninth or a thirteenth.

com/pound leaf, a leaf composed of leaflets on a common stalk, arranged either as the fingers of a hand, or pinnately, as the fern; the leaflets themselves may be compound.

com/pound lens, an optical system composed of more lenses having the same axis.

com/pound mag/net, a magnet consisting of more separate magnets placed together with their poles pointing in the same direction.

com/pound mi/croscope, an optical instrument forming magnified images of small objects, consisting of an objective lens with a very short focal length and an eyepiece with a longer focal length, both lenses in the same tube. See *illus.* under *microscope*. [1850-1900]

com/pound num/bar, a quantity expressed in more than one denomination or unit, as one foot is one minute twenty seconds. [1550-60]

com/pound o'vary, *Bot.* an ovary composed of more than one carpel.

com/pound pen/dulum, *Physica*. See **compound pendulum**. [1820-30]

compound Q, trichosanthin: an antiviral agent from the root of a Chinese cucumber plant, used in the treatment of AIDS. [1985-90; Q for *quercetin*]

com/pound sen/tence, a sentence consisting of more than one independent clause, usually joined by one or more conjunctions, but no dependent clause. *The lightning flashed (independent clause) and the rain fell (independent clause)*.

com/pound time, *Music*. metrical time in which three beats are counted as one; time in which the beat is divisible by three. [1840-50]

com-pound-wound (kom'pound wound), noting an electric device in which part of the circuit is in parallel with the armature circuit and part in series with it. —**com-pound wind/ing** (wīnd'ing), *n.*

com-pra-dor (kom'prə dōr'), *n.* (formerly) native agent or factotum, as of a foreign business. Also, **com-pra-dore**. [1605-15; < Pg. *parador*, equiv. to *comparā* (re) to furnish, prepare (see *COM-*, *PREPARE*) + *-dor* (-dor)]

com-pre-hend (kom'pri hend'), *u.t.* 1. to grasp the nature or meaning of; grasp with the mind: *He did not comprehend the significance of the doctor's remark.* 2. to take in or embrace: *He comprehended the course will comprehend all factors in the culture.* [1350-1400; ME *comprehenden*, *prehendere*, equiv. to *com-* + *prehendere* (see *PREHENSILE*)] —**com-pre-hend'er**, *n.* —**com-pre-hend-ing-ly**, *adv.* —*Syn.* 1. See *know*. 2. See *include*.

com-pre-hen-si-ble (kom'pri hen'si-bəl), *adj.* 1. capable of being comprehended or understood. Also, **com-pre-hend-i-ble** (kom'pri hend'ē-bəl). [1605-15; < L *comprehensibilis*. See *COMPREHEND*] —**com-pre-hen-si-bil-i-ty**, *com-pro-hen-si-bil-i-ty*, *com-pre-hen-si-bil-ity*, *adv.*

com-pre-hen-sion (kom'pri hen'shən), *n.* 1. the act or process of comprehending. 2. the state of being comprehended. 3. perception or understanding: *His comprehension of physics is amazing for a young man.* 4. the capacity of the mind to perceive and understand: *His comprehension of the term.* 5. inclusion. 7. *Comprehension* (of a term). [1350-1400; ME *comprehensiō* (s. of *comprehensio*), equiv. to *comprehensio* (ptp. of *comprehendere*) + *-iō* (-iōn)]

com-pre-hen-sive (kom'pri hen'siv), *adj.* 1. comprehensive: covering or involving much; including: *a comprehensive study of world affairs.* 2. comprehensive: having an extensive mental range or capacity: *comprehensive insurance.* 3. covering or providing broad protection: *comprehensive coverage.* 4. Often, **comprehensive**.

com-pre-hen-sive exami-na-tion, an examination or test giving extensive coverage given to measure a student's progress, proficiency in his or her major field of study, or the like. 5. the detailed layout of an examination showing placement of photographs, illustrations, etc., as for presentation to a client. Cf. *exam*. [1605-15; < L *comprehensivus*. See *COMPREHEND*] —**com-pre-hen-sive-ly**, *adv.* —**com-pre-hen-sive-ness**, *n.*

com-pre-hen-sive school. See **comprehensive school**. [1945-50]

com-press (v. kəm pres'; *n.* kom'pres'), *v.* 1. to press together; force into less space. 2. to reduce to a solid mass: *to compress cotton into bales.* 3. to condense, shorten, or abbreviate: *The novel was compressed by 50 pages.* —*n.* 4. *Med.* a bandage in place by a bandage and used to provide support, supply moisture, cold, heat, or medication: *a compress for compressing cotton bales.* 5. a device for storing cotton bales before shipment. [1350-1400; ME (< MF *compresser*) < LL *comprimere* to compress together (see *COM-*, *PREM-*) + *com-* + *primere* to press together (see *COM-*, *PREM-*) + *-ere* (-ere)] —**com-press-i-ble**, *adj.* —*Syn.* 1. condense, squeeze, constrict.

com-pressed (kəm prest'), *adj.* 1. pressed together; condensed: *compressed gases.* 2. flattened by or as if by pressure: *compressed lips.* 3. flattened by or as if by pressure: *compressed wallboard.* 4. *Zool.* flattened: *compressed wallboard.* [1325-75; ME; see *COMPRESS*, *-ED*] —**com-pressed-ly**, *adv.* —*Ant.* 1. expanded.

compressed air, air compressed, usually by means, to a pressure higher than the atmospheric pressure. [1660-70]

compressed petro-leum gas, a mixture of petroleum gas.

compressed speech, speech reduced to a minimum of words.

CONCISE ETYMOLOGY KEY: <, descended or borrowed from; >, whence; b., blend of; blended; c., cognate with; cf., compare; deriv., derivative; equiv., equivalent; imit., imitative; obl., oblique; r., replacing; s., stem; sp., spelling, spelled; resp., respelling, respelled; trans., translation; ? , origin unknown; * , unattested; † , probably earlier than. See the full key inside the front cover.

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